

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE TERRORIST ATTACK
ON SEPTEMBER 11, 2001

Civil Action No. 03 MDL 1570 (RCC)
ECF Case

This document relates to:

The Estate of John P. O'Neill, Sr., et al. v. The Republic of Iraq, et al., 04 CV 1076 (RCC)

NOTICE OF MOTION TO DISMISS OF TAHA AL-ALWANI

PLEASE TAKE NOTICE that pursuant to Rule 12 of the Federal Rules of Civil Procedure, and upon the memorandum of law and Declaration of Steven K. Barentzen attached hereto, Taha Al-Alwani, by and through undersigned counsel, will move the Court, before the Honorable Richard C. Casey, U.S.D.J., at the United States District Court, Southern District of New York, 500 Pearl Street, New York, New York, 10007, on at a date and time to be determined by the Court, for an order dismissing all of the claims asserted against him pursuant to Rule 12.

Respectfully submitted,

Dated: November 4, 2005

By: /s/ Nancy Luque
Nancy Luque (NL-1012)
Jay Hanson (admitted *pro hac vice*)
Steven K. Barentzen (SB-8777)
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Attorneys for Taha Al-Alwani

CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of November, 2005, I caused an electronic copy of the foregoing Notice Of Motion To Dismiss Of Taha Al-Alwani to be served by the Court's electronic filing system upon all parties scheduled for electronic notice.

/s/ Steven K. Barentzen
Steven K. Barentzen (SB-8777)